

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NOEL L. BROWN,

Plaintiff,

-against-

18 CIVIL 3287 (JPO)

AMENDED JUDGMENT

ANTHONY KEMPINSKI, et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated May 2, 2023, pursuant to the mandate from the Second Circuit, see ECF No. 94, an amended judgment is entered clarifying that the dismissal of Brown's false arrest claims (see ECF No. 66 at 4 - 5 and ECF No. 81 at 2 - 3) under Heck v. Humphrey, 512 U.S. 477 (1994), is without prejudice, while the dismissal of his other claims is with prejudice. Brown's motion for summary judgment in this closed case is denied as procedurally improper, given that the case has been dismissed. See this Court's previous orders in this case at ECF Nos. 66, 81, 88.

Dated: New York, New York

May 2, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk